

STATE OF CALIFORNIA, COUNTY OF EL DORADO

BOARD OF SUPERVISORS MINUTES

July 5

19 83

The Board convened in regular meeting. Present: Supervisors Robert E. Dorr, Patricia R. Lowe, W. P. "Dub" Walker, Joseph V. Flynn, and Thomas L. Stewart. Dixie L. Foote, Assistant Board of Supervisors Clerk, was also present. Chairman Stewart presided.

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The Invocation was offered by Reverend Harley Weldin, Placer Heights Baptist Church.

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The Pledge of Allegiance to the Flag was led by Supervisor Stewart.

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The Agenda was adopted, on motion of Supervisor Walker, seconded by Supervisor Dorr, and unanimously carried, with the addition of Mr. Don Byrd's request for waiver of County Ordinance Code requirements for placement of a 1971 model mobilehome on his property.

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The Minutes of June 27 and 28, 1983, were approved as submitted, on motion of Supervisor Lowe, seconded by Supervisor Walker, and unanimously carried.

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On motion of Supervisor Dorr, seconded by Supervisor Flynn, and unanimously carried, the Consent Calendar matters were considered and acted upon as follows:

Budget Transfer No. 243 was approved for Welfare/General Relief, transferring \$200 from Transportation (82-4250) to Burials (82-4245) to provide funding for burials of general relief recipients for the balance of fiscal year 1982-83; and transferring \$1,000 from Regular Employees (28-1010) to Extra-Help (82-2230), \$500 from Maintenance of Structures and Grounds (82-2130) to Special Department Expense (82-2230), \$200 from Rents, Leases, and Equipment (82-2200) to Publications & Legal Notices (82-2190), and \$200 from Transportation & Travel (82-2250) to Maintenance of Equipment (82-2120) to provide sufficient funding for extra-help, special department expense and publications and legal notices charges which ran higher for fiscal year 1982-83 than was anticipated when the budget was prepared.

Budget Transfer No. 244 was approved for the Health Department and County Service Area No. 3, transferring \$1,500 from the Health Department's Regular Employees Account (1010) and \$700 from the Health Department's Retirement Account (1110) to the Health Department's Supply and Care Account (4270); and transferring \$1,400 from County Service Area No. 3's Professional and Specialized Services Account (2180) as follows -- \$400 to Household Expense (2090) and \$1,000 to Maintenance of Equipment (2120) to cover shortages in said accounts for fiscal year 1982-83.

Budget Transfer No. 245 was approved for the Placerville Justice Court, transferring \$8,937.83 from Regular Employees (1010) to Class II accounts with budgetary overruns for fiscal year 1982-83.

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Budget Transfer No. 8 was approved, advancing \$30,000 from the County Treasury to the Pioneer Fire Protection District as a loan until tax revenues are received.

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July 5, 1983

- 244 -

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STATE OF CALIFORNIA, COUNTY OF EL DORADO

BOARD OF SUPERVISORS MINUTES July 5 19 83

117
Budget Transfer No. 9 was approved, advancing \$1,200 from the County Treasury to the Sierra Oaks Community Services District as a loan until tax revenues are received.

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2401
The Board approved Assessment Roll Changes numbered 1328, 1329, and 1330.

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58-1
At the recommendation of County Counsel, the Board denied the Application for Leave to Present Late Claim for property damage, in the amount of \$1,209.42, submitted by the California State Automobile Association as subrogee for William Crutchley.

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51
At the recommendation of County Counsel, the Board rejected as late, the claim for property damage, in the estimated amount of \$457.46, submitted by Pepsi-Cola Bottling Company.

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200
At the recommendation of the Public Works Department, the Chairman was authorized to sign an Agreement with DiGiorgio Development Corporation for acquisition of real property and Certificates of Acceptance of Grant Deeds for the Green Valley Road Curve Improvement Project (No. 3032).

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5029
RESOLUTION NO. 172-83 was adopted, at the recommendation of Community Programs, authorizing the Chairman to sign Amendment No. 2 and initial Attachment A(1) to the Agreement (No. 8300-019) with the State Office of Economic Opportunity increasing same from \$125,700.00 to \$151,400.00, for operation of the Energy Crisis Intervention Program.

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201
The Board acknowledged receipt of the Audit Report prepared by Ehlman, Roberts & Maston, Inc., for grants administered by the Community Action Agency for year ending February 28, 1983; and directed said Report be placed on file.

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52-1
At the recommendation of the Health Department, the Chairman was authorized to sign the County Health Services Plan Update and Budget Supplement for Fiscal Year 1982-83, and an Amendment to the Standard Agreement with the State Department of Health Services for County health services, to cover El Dorado County's participation in the Medically Indigent Adults (MIA) County Medical Services Program.

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22-1
RESOLUTION NO. 173-83 was adopted, at the recommendation of the Health Department, authorizing the Chairman to sign an Agreement with the State Department of Health Services for funds, in the amount of \$60,000.00, for Family Planning Program services provided by said Department, for period July 1, 1983, through December 31, 1984.

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STATE OF CALIFORNIA, COUNTY OF EL DORADO

BOARD OF SUPERVISORS MINUTES

July 5

19 83

119
At the request of the County Auditor-Controller, the Chairman was authorized to sign an Agreement with David M. Griffith and Associates, Ltd., for technical and data processing services associated with the preparation of the annual County-wide Cost Allocation Plan, at a cost not to exceed \$2,500.00.

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115
(141-2)
At the recommendation of the Personnel Director, the Board took the following action in response to County Counsel's request for two additional staff positions:

- a. Adopted RESOLUTION NO. 174-83, amending Authorized Personnel Resolution No. 30-83 to add one Deputy County Counsel III and one Legal Secretary;
- b. Authorized selection and filling of same;
- c. Authorized the Chairman to sign Budget Transfer No. 1, transferring \$48,800 from General Fund Appropriation for Contingency (9900) to County Counsel's Regular Employees (1010 - \$38,379.00), P.E.R.S. (1110 - \$5,456.00), Health Insurance (1120 - \$4,527.00), Federal Unemployment (1130 - \$58.00), and Disability Insurance (1160 - \$380.00) for same.

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212
RESOLUTION NO. 175-83 was adopted, authorizing the closure of Rubicon Trail from Wentworth Springs to Rubicon Springs, between 6:00 a.m. on Thursday, July 28, 1983, to 12:00 noon on Sunday, July 31, 1983, for the 31st Annual Jeepers Jamboree.

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(141)
183
County Counsel submitted a statement from the law offices of Ephraim Margolin, in the amount of \$3,370.83, for professional services rendered from February 7, 1983, through May 3, 1983, in the matter of Superior Court of El Dorado County vs. L. Eugene Rasmussen (Action No. 41457).

On motion of Supervisor Flynn, seconded by Supervisor Lowe, and unanimously carried, the matter was referred to the Chief Administrative Officer and County Counsel to negotiate an agreement with Judge Rasmussen whereby he will pay a portion of the costs, and bring said agreement back before the Board of approval.

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21
At the recommendation of the Airport Department, and on motion of Supervisor Lowe, seconded by Supervisor Flynn, and unanimously carried, the Chief Administrative Officer was authorized to sign the Federal Assistance Pre-application for funds, in the amount of \$382,500.00 (local match - \$42,500) for the purchase of snow removal equipment for the Lake Tahoe Airport.

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50-7
At the recommendation of Community Programs, and on motion of Supervisor Stewart, seconded by Supervisor Flynn, and unanimously carried, the Chairman was authorized to sign an Agreement with Georgetown United Methodist Church for use of Buckner Hall and related parking facilities for the Supplemental Foods Program for Women, Infants, and Children (WIC), at a cost of \$5.00 for each day used, paid monthly.

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46-234
The Board set a public hearing for August 2, 1983, at 2:15 p.m., to consider the request of Tim and Sue Taylor to establish Agricultural Preserve No. 239 in the Camino/Fruitridge area, consisting of 12.95 acres, on motion of Supervisor Flynn, seconded by Supervisor Dorr, and unanimously carried.

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July 5, 1983

- 246 -

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STATE OF CALIFORNIA, COUNTY OF EL DORADO

BOARD OF SUPERVISORS MINUTES July 5 19 83

(50)
113
At the recommendation of the Personnel Director, and on motion of Supervisor Dorr, seconded by Supervisor Lowe, and unanimously carried, the Board approved the addition of the Clerk III Account position in Community Programs to those classifications covered by the "Two Year Early Retirement Benefit" window period of May 10 through August 31, 1983.

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57
On motion of Supervisor Dorr, seconded by Supervisor Walker, and carried by the following vote: Ayes: Supervisors Dorr, Lowe, Walker, and Flynn; No: Supervisor Stewart, the Board set a public hearing for Tuesday, August 2, 1983, at 2:00 p.m., to reconsider its action of June 21, 1983, wherein Ordinance No. 3367 was adopted implementing Senate Bill 1534 (Mello) to allow second single family dwellings on all lots zoned for single family residential uses (Granny Flat Ordinance).

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392-113
The Board approved the request of Mr. Don Byrd for waiver of County Ordinance Code requirements to enable Mr. Byrd to place a 12' x 60', 1971 model mobilehome on a 20-acre parcel, on a temporary basis, on motion of Supervisor Walker, seconded by Supervisor Dorr, and unanimously carried.

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12-14
On motion of Supervisor Flynn, seconded by Supervisor Lowe, and unanimously carried, the Board set a Policy Review Session with County department heads on July 5, 1983 (this date) at 1:15 p.m., to discuss suspension of austerity measures.

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12-14
(23-4)
On motion of Supervisor Lowe, seconded by Supervisor Walker, and unanimously carried, the Board set a Policy Review Session for July 6, 1983, at 11:00 am. regarding renewal of the Agreement with Lake Tahoe Transportation Systems, Inc., for special need dial-a-ride transportation services at South Lake Tahoe; however, the Policy Review Session was cancelled later in the day when the Board was advised by the Chief Administrative Officer that Mr. LeBlanc, of Lake Tahoe Transportation Systems, Inc., could not be present at that time.

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7-30
113
The Board denied the request of Mrs. Ada Huot that she be granted the "Two Year Early Retirement Benefit" when she retires from her position as Cook I in Community Programs, on motion of Supervisor Dorr, seconded by Supervisor Lowe, and unanimously carried.

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(51)
113
At the recommendation of the Chief Administrative Officer, and on motion of Supervisor Lowe, seconded by Supervisor Flynn, and carried by the following vote: Ayes: Supervisors Dorr, Lowe, Flynn, and Stewart; No: Supervisor Walker; the Board took the following action relating to the Nutrition Division of Community Programs:

- Directed the Personnel Director to perform a classification study on the Accounting Technician position, with recommendation to the Board within 30 days;
- Adopted RESOLUTION NO. 176-83 amending Authorized Personnel Resolution No. 30-83 to increase a 3/4-time Clerk II General position to full time;
- Authorized the Auditor-Controller to add the 1/4-time Accounting Technician position in the final 1983-84 County budget.

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STATE OF CALIFORNIA, COUNTY OF EL DORADO

BOARD OF SUPERVISORS MINUTES

July 5

19 83

114
At the request of the Deputy Purchasing Agent, and on motion of Supervisor Dorr, seconded by Supervisor Lowe, and unanimously carried, the Board waived formal bidding procedure, and authorized the purchase of one pneumatic compactor from Western Traction Company of Union City, at a cost of \$42,294.00, including tax, and one mobile sweeper from Ricker Machinery Company of Oakland, at a cost of \$58,300.00, including tax, for the Public Works Department's chip and seal program; said waiver based on the finding that competitive bidding would not be in the public's interest because the unique nature of the property precludes receiving bids.

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233-6
At the recommendation of the Deputy Purchasing Agent and Deputy Coroner, the Chairman was authorized to sign a six-year Agreement with Memory Chapel, Inc., and the Chapel of the Pines for mortuary services on the western slope for the Coroner's Office for period July 1, 1983, through June 30, 1990, on motion of Supervisor Flynn, seconded by Supervisor Walker, and carried by the following vote: Ayes: Supervisors Dorr, Walker, and Flynn; Noes: Supervisors Lowe and Stewart.

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87
(341)
Representatives of the State Department of Conservation presented the draft version of the El Dorado County Important Farmland Map.

On motion of Supervisor Flynn, seconded by Supervisor Dorr, and unanimously carried, said Map was referred to the Planning Department and Agriculture Department for joint review and comment.

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117
Budget Transfer No. 242 was approved for the County Surveyor, transferring \$200 from Transportation and Travel (2250) to Office Expense (2170); and decreasing Office Expense (2170) by \$130.00, and Transportation and Travel (2250) by \$210.00, to increase Fixed Assets (3370) by \$340.00, for the purchase of a Hewlett-Packard Digital cassette drive No. 82161A to complement HP41C calculator, on motion of Supervisor Walker, seconded by Supervisor Flynn, and unanimously carried.

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(53)
341
The Chief Administrative Officer submitted an Ordinance amending Section 3.28.030 of the County Ordinance Code, increasing the transient occupancy tax from 6% to 8%; and said Ordinance was introduced, the reading thereof waived, and the Ordinance continued to July 12, 1983, at 11:30 a.m., for consideration of adoption, on motion of Supervisor Walker, seconded by Supervisor Flynn, and carried by the following vote: Ayes: Supervisors Lowe, Walker, Flynn, and Stewart; No: Supervisor Dorr. (Supervisor Dorr requested that owners of all hotels/motels in the County be so advised.)

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341-5
The Lake Tahoe Humane Society, Inc., requested the County provide clarification defining its legal and fiscal responsibility for animal control in the incorporated and unincorporated divisions of the County, to include a description of the level of service this responsibility mandates and the County uniformly intends to fund.

On motion of Supervisor Dorr, seconded by Supervisor Lowe, and unanimously carried, the Board approved the recommendation of the County Agricultural Commissioner that negotiations for the 1983-84 South Lake Tahoe Humane Society's animal control contract be allowed to continue, with the Agricultural Commissioner to contact the Board for further direction if both parties arrive at an impasse.

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STATE OF CALIFORNIA, COUNTY OF EL DORADO

BOARD OF SUPERVISORS MINUTES

July 5

1983

74-72
At the request of Judith A. Liddell, the Board decreased Ms. Liddell's rent, from \$100 per month to \$1 per year, for the cafeteria facilities in the County Government Center, on motion of Supervisor Flynn, seconded by Supervisor Walker, and carried by the following vote: Ayes: Supervisors Dorr, Lowe, Walker, and Flynn; No: Supervisor Stewart.

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12-11
A group known as "Toward Utility Rate Normalization" submitted a proposal for City-County funding of 1983-84 gas, electricity and telephone interventions before the California Public Utilities Commission, and requested contributions, through an executed Letter Agreement, of 10¢ per capita, for El Dorado County's representation for one year in matters relating to same.

The correspondence was received, for filing, on motion of Supervisor Dorr, seconded by Supervisor Walker, and unanimously carried.

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SPECIAL ORDERS

PLANNING MATTERS

47-10
Hearing was held as duly advertised to consider an Amendment to the County General Plan in the Diamond Springs/El Dorado area from Single Family Residential Medium Density to Commercial, consisting of 11+ acres, petitioned by Ken Sherrod. The Planning Commission recommended denial, based on the following findings:

1. There is no demonstrated need for additional commercial land in the area;
2. Commercial development of this property could cause significant drainage and erosion problems;
3. The applicant has not shown that a commercial use could be developed on this property.

Mr. Earl McGuire, licensed engineer, was present and spoke on behalf of Ken Sherrod and Mr. and Mrs. Lovcourt, owners of portions of the property in question. Also present to speak on behalf of the request was Mrs. Herberger, owner of .9 acre of the subject property.

There were no written or verbal protests, and the hearing was closed.

On motion of Supervisor Walker, seconded by Supervisor Flynn, and carried by the following vote: Ayes: Supervisors Lowe, Walker, Flynn, and Stewart; No: Supervisor Dorr, the Board accepted the Negative Declaration as filed, and declared its intent to approve the requested Amendment to the County General Plan. (See Minutes of July 26, 1983 for Resolution No. 199-83 amending the County General Plan accordingly.)

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STATE OF CALIFORNIA, COUNTY OF EL DORADO

BOARD OF SUPERVISORS MINUTES

July 5

19 83

Hearing was held as duly advertised to consider the following:

- 57-h
- a. Amendment to the County General Plan in the Pleasant Valley area from Rural Residential Agricultural Ten to One Hundred Sixty-Acre to Single Family Residential Medium Density, consisting of 9.5 acres, petitioned by Arthur Brewer; and
 - b. Rezoning of said lands from Estate Residential Ten-Acre Zone to Single Family Residential Two-Acre Zone.

Mr. Ken Milam, Planning Director, explained that the applicant requested R2A Zone, and the Planning Commission favored RE-5 Zone for the property. Therefore, the Planning Commission recommended approval of the General Plan Amendment as requested, and rezoning of said lands to R3A, Single-Family Residential Three-Acre, Zone (a "compromise" zoning), based on the following findings:

General Plan Amendment

1. Single-Family Residential Medium Density land use would be an expansion of the same use and density of land to the north and the land identified in this application is capable of further development.

Rezoning

1. The rezoning is consistent with the General Plan.

218-28-82

Mr. Homer Banks, licensed engineer, was present and spoke on behalf of the applicant, who was also present, and advised that Mr. Brewer is still requesting R2A Zone, rather than the Planning Commission's recommended zoning of R3A.

Mrs. Mildred Mulder, owner/resident of property to the west of the property in question, was present and stated that she is not concerned or opposed to R2A or R3A zoning on the property, however, she is concerned about the excavation work that has already been done by the applicant and its effect on the environment.

Mr. Brewer, the applicant, responded to questions of the Board by advising that he took advantage of a "cat" in the area to get some excavation done to clear a building site and begin clearing a road to the site, and he did not know that such excavation requires a County grading permit which he did not obtain.

There was no further public input, and the hearing was closed.

On motion of Supervisor Lowe, seconded by Supervisor Dorr, and unanimously carried, the decision of the Board was continued to July 19, 1983, to allow Planning staff an opportunity to view the site and evaluate the extent of excavation already done.

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96-1-83

Hearing was held as duly advertised to consider the Appeal submitted by Herbert D. Reed (Herbie's Whitewater Tours, Inc.) on the Planning Commission's denial of River Use Permit No. 83-15 for river rafting on the South Fork of the American River.

Arlan Nickle of the Planning Department advised that the permittee still has not submitted the required proof of insurance.

Continued next page

STATE OF CALIFORNIA, COUNTY OF EL DORADO

BOARD OF SUPERVISORS MINUTES

July 5

19 83

The applicant was not present, there was no public input, and the hearing was closed.

On motion of Supervisor Dorr, seconded by Supervisor Lowe, and unanimously carried, the Board denied the Appeal, upholding the Planning Commission's denial of River Use Permit No. 83-15, based on insufficient documentation regarding insurance coverage, and directed that the Sheriff's Department be so advised.

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Hearing was held as duly advertised to consider Appeals submitted by Richard Flasher (Nonesuch Whitewater) and Robert Meyer/Mark Piatti (The River Ducks) on the Planning Commission's denial of River Use Permits Nos. 83-19 and 83-53 respectively, for river rafting on the South Fork of the American River.

Arlan Nickle of the Planning Department advised that these two companies have submitted the required documents which were not included in the applications, and recommended issuance of the permits.

The applicants were not present, there were no verbal protests, and the hearing was closed.

The Board granted the Appeals, and directed the Planning Department to issue River Use Permits Nos. 83-19 and 83-53 as requested, to be effective this date, on motion of Supervisor Dorr, seconded by Supervisor Stewart, and carried by the following vote: Ayes: Supervisors Dorr, Walker, and Stewart; Noes: Supervisors Lowe and Flynn.

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Hearing was held as duly advertised to consider the Appeal submitted by Don Hamilton on the Planning Commission's revocation of Special Use Permit No. 71-82 to allow a recreational campground including 115 open campsites, 10 cabins, related office and stores, playgrounds and amphitheater on 38 acres zoned Recreational Facilities in the Lotus/Coloma area.

Mr. Arlan Nickle of the Planning Department summarized that there are four concerns still to be addressed to bring the camp into compliance with Special Use Permit No. 71-82:

1. Disturbance of the green belt;
2. Fencing either not built or not maintained (status unclear);
3. Discrepancies in the site plan vs. the actual campground; and
4. Sanitation facilities, which are the main concern.

Mr. Dean Hawthorne was present and spoke on behalf of the appellant, reviewing the history of the camp. Mr. Hawthorne advised that the camp was issued its original special use permit (number 71-82) in 1971, and has since outgrown the permit. The owner then applied for a "broader" permit, at which time neighbors began to appear and make complaints about the camp. The Planning Commission then revoked Special Use Permit No. 71-82, and set a public hearing before the Planning Commission for July 14, 1983, to consider issuance of a new special use permit (number 83-03) to Camp Coloma. Mr. Hawthorne reiterated that the Appeal being heard this date is on the revocation of the original special use permit (number 71-82).

Continued next page

STATE OF CALIFORNIA, COUNTY OF EL DORADO

BOARD OF SUPERVISORS MINUTES July 5 19 83

Mr. Bill Rothaus, project engineer, was present and spoke to the work he has done to improve the camp's sanitation facilities which he advised are now working satisfactorily. Mr. Lou Archuletta of El Dorado Irrigation District (E.I.D.) advised that E.I.D. is willing to enter into an agreement with the camp owner to monitor the operation of the sewage treatment plant. Mr. Ron Duncan, Director of the Environmental Health Division of the County Health Department, was present and advised that he feels the expansion of the camp's sanitation facilities has been responsive to complaints, and he is satisfied with the system as it exists this date, with the addition of the aforementioned agreement between the camp and E.I.D.

Finn and Betty Schmidt, area residents, were present and spoke in opposition to the Appeal, as they want the camp closed down completely. Mr. Schmidt stated that he does not feel the soil is adequate for the septic system required. He urged the County to direct that the septic ponds be pumped out now and 12 years of accumulated "sludge" be removed. Mrs. Schmidt stated that the camp's fencing is not in compliance with the special use permit (number 71-82), and that there are full-time, year-around residents, other than the owners, at the camp.

Mr. James Ingram, speaking on behalf of the appellant, advised that much work has been done, and is being done, to bring the camp into compliance with Special Use Permit No. 71-82, and requested more time to complete the work. In that vein, Mr. Ingram proposed the Board grant the Appeal and re-issue Special Use Permit No. 71-82, with review by staff in one year to ensure the work has been completed.

There were no further protests, and the hearing was closed.

In light of the fact that the Planning Commission will be considering the new special use permit (number 83-03) on July 14, 1983, the Board continued its decision on the Appeal to July 19, 1983, on motion of Supervisor Flynn, seconded by Supervisor Lowe, and unanimously carried.

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GENERAL ORDERS

(114-7
74-7) The award of the bid for the Renovation of Inmate Showers (Contract No. 3634A) and Replacement of Inmate Toilets (Contract No. 3643B) at the County Jail was continued off calendar until brought back to the Board by the Director of the General Services Division, on motion of Supervisor Walker, seconded by Supervisor Dorr, and unanimously carried.

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PLANNING MISCELLANEOUS

213 Mr. Doug Noble of the Planning Department reported on estimated cost and manhours for completion of the South Lake Tahoe Airport Master Plan and Environmental Impact Report, and the matter was continued to July 12, 1983, for further report, on motion of Supervisor Stewart, seconded by Supervisor Dorr, and unanimously carried.

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(57)
95 The Planning Director withdrew the following request, and the matter was therefore removed from the Agenda, on motion of Supervisor Walker, seconded by Supervisor Dorr, and unanimously carried:

- a. Budget Transfer No. 2, increasing Estimated Revenues, River Use Permits (2700), by \$500.00, and transferring same from River Use Fees (263) to Fixed Assets (3370), for purchase of a hand-held radio transceiver unit for emergency use in the upper river section below Chili Bar; and
- b. Agreement with Michael Dennis, owner of Natural Reflections Photography, and James Kain, owner of Chili Bar Resort, for care and maintenance of said radio transceiver.

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STATE OF CALIFORNIA, COUNTY OF EL DORADO

BOARD OF SUPERVISORS MINUTES

July 5

19 83

GENERAL ORDERS

The Area Agency on Aging requested the Chairman be authorized to sign the Sub-Grant Award Conditions, Assurance of Compliance, and Assurance of Non-discrimination in State-supported Programs and Activities, to be submitted to the State Department of Aging, for operation of Title III Older Americans Act Programs for Fiscal Year 1983-84.

On motion of Supervisor Dorr, seconded by Supervisor Flynn, and unanimously carried, the Chairman was authorized to sign, with the deletion of paragraph 26 on page 6 of the Sub-Grant Award Conditions, and with further direction that, if the State will not accept said deletion, the paragraph will be substituted with language recommended by the Chief Administrative Officer this date.

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On motion of Supervisor Dorr, seconded by Supervisor Lowe, and unanimously carried, the Chairman was authorized to sign a letter to all County employees (to be prepared by the Administrative Office) advising them that the cost of Blue Cross medical insurance (Plan A) is increasing by 6%.

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The Chairman was authorized to sign a letter (to be prepared by the Administrative Office) expressing the Board's thanks and appreciation to all those who participated in the County's work furlough (temporary layoff); and directed that said letter be released to the press for publication, on motion of Supervisor Walker, seconded by Supervisor Flynn, and unanimously carried.

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On motion of Supervisor Lowe, seconded by Supervisor Walker, and unanimously carried, Supervisor Flynn was authorized to attend meetings on Thursday, July 7, and Friday, July 8, 1983, in San Francisco, with a group of other County Supervisors, working through the Regional Council of Rural Counties (RCRC), in opposition to federal legislative efforts to add 2.4 million acres of National Forest land to the California Wilderness System, and are meeting with U.S. Senator Pete Wilson on July 8, 1983, regarding same.

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There being no further business this date, the Board continued the meeting to Wednesday, July 6, 1983, at 1:00 p.m.

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APPROVED:


THOMAS L. STEWART, Chairman

ATTEST:
DOLORES BREDESON, County Clerk
and ex officio Clerk of the Board

By 
Deputy Clerk